

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Action dated February 13, 2006. Claims 1 and 12 have been amended without intending to abandon or to dedicate to the public any patentable subject matter. No Claims have been canceled. Accordingly, Claims 1-7, 9-13, 15-17 and 19-25 are now pending. As set forth herein, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

The present invention is generally directed to a readerboard system or a method of advertising in which an overall graphical depiction is distributed among a number of panel elements. The panel elements are sized such that they can be mounted to a conventional readerboard. In an area of the readerboard corresponding to a readerboard track separating two panel elements from one another, a portion of the overall message is not visible to a viewer. In particular, that portion is obscured by the track of the readerboard, and/or is not included with the portion of the message or overall image contained on a portion of a panel element held within a channel of the track.

In general, the references of record that discuss adjacent panels that can be combined to form larger images are not capable of being used with conventional readerboards, and are concerned with avoiding visual discontinuities between the panel elements. Accordingly, a system or method using a conventional readerboard to display an image having portions distributed across a number of panels and in which the tracks of the readerboard obscure portions of the image and create discontinuities in the displayed message or image is not taught, suggested, or described by the prior art.

Claims 1-7, 9-13, 15-17 and 19-25 stand rejected under 35 U.S.C. §103 as being unpatenable over U.S. Patent No. 6, 216,375 to Griffin ("Griffin") in view of U.S. Patent No. 5,606,834 to Bauer ("Bauer"). In order to establish a prima facie case of obviousness under §103, there must be some suggestion or motivation to modify the reference or to combine the reference teachings, there must be a reasonable expectation of success, and the prior art reference or references must teach or suggest all of the claim limitations. (MPEP §2143.) However, each and every element of the claims rejected as

obvious can not be found in the cited references whether those references are considered alone or in combination. In particular, the cited references do not teach, suggest, or disclose displaying an image using multiple panels held in the tracks of a conventional readerboard as claimed. Accordingly, the rejections under 35 U.S.C. §103 should be reconsidered and withdraw.

The Griffin reference is cited for disclosing a conventional readerboard with panels that can be used to display messages. As noted in the Office Action, the top and bottom edges of the panels of Griffin that engage the tracks are not displayed to the viewer. The panels of Griffin are "character plates 23" that are provided with an alphanumeric character. However, it should be noted that the portions of the panels of Griffin that are not displayed are blank. Accordingly, Griffin does not teach, suggest or describe a system in which a portion of an overall message in areas corresponding to a track of a readerboard is not displayed. Instead, Griffin discusses a conventional readerboard system in which complete textual characters or graphic images are displayed by simple panels. Moreover, Griffin does not discuss displaying complementary portions of a unitary graphic image or of a single textual character on adjacent panels. There is no teaching, suggestion or disclosure of extending a single textual character or a single graphical element (*i.e.* a semiotic element other than a word) across a number of panels that are separated from one another by a track of a readerboard.

The Bauer reference is cited by the Office Action for disclosing an image panel that is divided into a plurality of image strips. The Bauer patent is directed to a method of, and panel for, applying a graphic image to slat walls. The method includes dividing an image into a plurality of longitudinally extending strips that are cut to be of a height or lateral dimension generally corresponding to the lateral extent of a slat. In order to maintain the continuity of the overall image when these strips are applied to a slat wall, small longitudinally extending portions of the image between strips are cut out and discarded (Bauer, col.5, lines 1-14.) Accordingly, it can be appreciated that Bauer teaches the removal of portions of the image from strips. Because Bauer teaches reducing the lateral extent of strips as part of removing portions of the image from strips

comprising the overall image, the strips of Bauer could not be used in a conventional readerboard. Furthermore, Bauer teaches away from placing strips in a readerboard as suggested by the Office Action. In particular, placing the strips in a readerboard would result in an incomplete image because a portion of the image is removed by cutting down the height of the strips and because an additional portion falling behind the track of the readerboard would not be displayed. This result would be contrary Bauer's teaching of maintaining the continuity of the image. Also, Bauer is directed to a slat wall in which each image strip is held to the wall by a clear plastic face. Bauer is not directed to a readerboard. Furthermore, because Bauer requires the removal of portions of an image from strips across which the overall image is distributed, Bauer could not be combined with Griffin to provide a display for a conventional readerboard. Therefore, Bauer does not teach, suggest or disclose obscuring or not displaying a portion of a substantially continuous message as a result of placing a panel containing a portion of the message in the track of a readerboard as claimed.

Accordingly, at least the following elements of the independent claims indicated by italicized text cannot be found in the cited references:

1. A readerboard system, comprising:

a first panel element, wherein said first panel element can be placed in a readerboard, and *wherein a first semiotic element is formed on a first surface of said first panel element*; and

a second panel element, wherein said second panel element can be placed in said readerboard, *wherein a second semiotic element is formed on a first surface of said second panel element*,

wherein said first and second semiotic elements are complementary such that they combine to form at least a portion of a substantially continuous message when said first and second panel elements are placed adjacent to one another,

wherein said first semiotic element comprises at least one of a first portion of a graphic image and a first partial portion of a textual character, and said second semiotic element comprises at least one of a second portion of said graphic image that is a

continuation of and complementary to said first portion of a graphic image and a second partial portion of said textual character that is a continuation of and complementary to said first partial portion of said textual character,

wherein said first and second panel elements each have top and bottom edges capable of being engaged by track channels provided as part of said readerboard,

wherein a bottom edge of said first panel element and a top edge of said second panel element are engaged by track channels of a first track of said readerboard,

wherein said first and second panel elements are separated from one another by the first track of said readerboard,

wherein a first portion of said substantially continuous message at said bottom edge of said first panel element is obscured by the first track and is not displayed to a viewer, wherein a second portion of said substantially continuous message at said top edge of said second panel element is obscured by the first track and is not displayed to a viewer, and

wherein said panel elements do not include any protrusions for engaging said track channels of said readerboard.

7. A method for advertising, comprising:
designing a message;

distributing said message over a plurality of panel elements, wherein each panel element has a top edge and a bottom edge, wherein a first of said panel elements contains at least a first semiotic element comprising at least a first portion of said message, wherein a second of said panel elements contains at least a second semiotic element comprising at least a second portion of said message, *wherein said first and second semiotic elements are complementary to one another, wherein said first semiotic element comprises at least one of a first portion of a graphic image and a first partial portion of a textual character, and said second semiotic element comprises at least one of a second portion of said graphic image and a second partial portion of said textual character, and* wherein said message is displayed when said panel elements are placed in a first relationship to one another; and

placing said first and second panel elements in a readerboard in said first relationship to one another, wherein in said first relationship said first panel element is in a first row of said readerboard and said second panel element is in a second row of said readerboard, wherein at least a portion of said message is displayed, wherein said panel elements do not overlap one another, *wherein a top edge of each of said plurality of panel elements is held in a channel of a track of said readerboard, wherein a bottom edge of each of said plurality of panel elements is held in a channel of another track of said readerboard, wherein a portion of said first semiotic element adjacent said bottom edge of said first panel element is obscured by a first channel of a first one of said tracks of said readerboard, and wherein a portion of said second semiotic element adjacent said top edge of said second panel element is obscured by a second channel of said first one of said tracks of said readerboard.*

12. A readerboard system, comprising:

a readerboard, said readerboard including a plurality of tracks, wherein each track includes at least one channel;

a substrate, wherein said substrate is sized to span an integer number of readerboard rows; and

a graphic image or text interconnected to said substrate, wherein said graphic image or text spans more than one of said readerboard rows, wherein said substrate and said interconnected graphic image or text comprise a plurality of panel elements, wherein each of said panel elements has a top edge held within a track channel and a bottom edge held within another track channel;

wherein a first portion of said graphic image or a letter included in said text is depicted on a first one of said panel elements,

wherein a second portion of said graphic image or said letter is depicted on a second one of said panel elements,

wherein said first and second portions of said graphic image or said letter are adjacent to one another and are separated from one another by a first one of said tracks of said readerboard,

wherein a third portion of said graphic image or said letter at least partially visually interconnecting said first and second portions of said graphic image or said letter to one another corresponds to an area of said graphic image or said letter traversed by said first one of said tracks, and

wherein a said third portion of said graphic image or said letter is one of obscured by said first one of said tracks or not depicted by any of said panel elements.

As discussed herein the cited references do not teach, suggest or disclose distributing a graphic image or textual characters across multiple panels and placing these panels in a conventional readerboard, wherein a portion of a graphic image or textual character at a location corresponding to a location of a track of the readerboard is obscured or is not visible. Moreover, the references that have been cited in connection with distributing images across multiple panels teach away from allowing a portion of a displayed overall message to be obscured. For example, references have been cited in other Office Actions that discuss placing images in panels that directly abut one another or overlap one another to prevent discontinuities. In addition, the references that have been cited with respect to distributing an overall message across multiple panels cannot be adopted for use in connection with a conventional readerboard and panels that are received by the tracks of a readerboard. For example, the Bauer reference discusses strips that are clamped to a slat wall using clear cover pieces that feature hook members to engage the slats. Furthermore, the system of Bauer is cumbersome in that it requires the removal of portions of the image before the individual slats are attached to the wall. For all of these reasons, the pending claims are not obvious in view of the cited references. Accordingly, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

Application No. 10/697,681

The application is now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned if doing so would expedite prosecution or allowance of the application.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Bradley M. Knepper
Registration No. 44,189
1560 Broadway, Suite 1200
Denver, CO 80202-5141
(303) 863-9700

Date: May 4, 2006